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Attorneys for Defendant

SUPERIOR COURT  
YAVAPAI COUNTY, ARIZONA

2010 FEB 17 AM 11:45

CLERK

BY: B. Hamilton

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

STATE OF ARIZONA,

Plaintiff,

vs.

STEVEN CARROLL DEMOCKER,

Defendant.

No. P1300CR20081339

Div. 6

**REPLY IN SUPPORT OF  
MOTION FOR RELEASE OF  
MEDICAL RECORDS  
PURSUANT TO A.R.S. § 12-  
2294.01**

The State has no standing to object to the motion to disclose the medical records of Mr. Knapp. The State does not indicate what its interest is in objecting to the request or how the State would be at all effected by the Court's order.

The State responds that Mr. DeMocker has "not met his burden of establishing how the records are essential" to his defenses. This is a misstatement of Mr. DeMocker's burden. As the *Roper* case, cited by the State in its response, provides, the due process clause provides a defendant with a right to evidence that is "favorable to the defense and material to either guilt or punishment." *See State ex re. Romley v.*

1 team no later than 10 days from the entry of the requested order.

2  
3 DATED this 17<sup>th</sup> day of February, 2010.

4  
5 By: 

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15  
16 **ORIGINAL** of the foregoing  
17 filed this 17<sup>th</sup> day of February, 2010, with:

18 Jeanne Hicks

19 Clerk of the Court

20 Yavapai County Superior Court

21 120 S. Cortez

22 Prescott, AZ 86303

23  
24 **COPIES** of the foregoing hand delivered/mailed  
25 this 17<sup>th</sup> day of February, 2010, to:

26 The Hon. Thomas B. Lindberg

27 Judge of the Superior Court

28 Division Six

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